

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-27 are pending in this application. Claims 1-27 were rejected under 35 U.S.C. §101. Claims 1-3, 10-12, 14, 15, 19-21, 23, and 24 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent Application Publication 2002/0059410 A1 to Hara et al. (herein "Hara"). Claims 4-6, 13-15, and 22-24 were rejected under 35 U.S.C. §103(a) as unpatentable over Hara in view of U.S. patent 7,080,141 to Baekelmans et al. (herein "Baekelmans"). Claims 9, 18, and 27 were rejected under 35 U.S.C. §103(a) as unpatentable over Hara in view of Baekelmans as applied to Claim 4, and further in view of U.S. patent 6,834,350 B1 to Boroughs et al. (herein "Boroughs"). Claims 7, 16, and 25 were rejected under 35 U.S.C. §103(a) as unpatentable over Hara in view of U.S. patent 6,112,015 to Planas et al. (herein "Planas"). Claims 8, 17, and 26 were rejected under 35 U.S.C. §103(a) as unpatentable over Hara in view of U.S. patent 6,539,425 B1 to Stevens et al. (herein "Stevens").

Addressing first the rejection of claims 1-27 under 35 U.S.C. §101, that rejection is traversed by the present response.

Each claim is amended by the present response to clarify features recited therein. The claim amendments are believed to also more clearly recite a useful, concrete, and tangible result of the claimed inventions. To that extent the claims clearly recite an operation to "report results of the polling to the remote monitoring center". That is a clear useful, concrete, and tangible result of the claimed invention.

The outstanding Office Action suggested amending the claims to recite a "showing step of actually presenting the results of the poll of the network devices to a user in the form of a view".¹

¹ Office Action of November 16, 2006, page 3, first paragraph.

The claims are not amended to that detail, but applicants submit that level of detail is not required to recite a useful, concrete, and tangible result in the claims. Providing results of an analysis to a remote monitoring center clearly still provides a useful, concrete, and tangible result even without specifically reciting a display to a viewer.

In view of the presently submitted amendments and foregoing comments, each of the claims is believed to be proper under 35 U.S.C. §101.

Addressing now the above-noted prior art rejections, those rejections are traversed by the present response.

As noted above the claims are amended to clarify features recited therein. The claimed features are supported, for example, by Figures 2-3 in the present specification.

The claims first clarify the plug-in used in a system in which the network is “connected to a remote monitoring center”, as shown for example in Figure 2 in the present specification. The claims also clarify accessing a database “independent of control from the remote monitoring center”. That feature is clear for example from step S15 in Figure 3 in the present specification. With respect to that step the plug-in can access the database 18 independent of any control from the remote monitoring center 30.

The claims also clarify an operation “to determine if the identified network devices belong to a selected group of network devices”, as shown for example in steps S20 and S25 in Figure 3 in the present specification. Results of the polling are then provided to the remote monitoring center. The claims also clarify the determining if the identified network devices belong to the selected group of network devices, polling the selected group of network devices, and reporting the polling results are all independent of control from the remote monitoring center. As clear from Figure 3 in the present specification the operations performed therein are performed by the plug-in device without control from the remote monitoring center.

The claims as written are believed to clearly distinguish over Hara.

The outstanding rejection relies on Hara to disclose a local plug-in 203b. However, that plug-in 203b in Hara differs from the claimed plug-in.

First, plug-in 203b in Hara is utilized to provide a connection between the device monitoring server 203a and the device service center 210 and operates for converting data format and protocol as needed.²

One basis for the rejection states:

...Examiner would like to note that because the Local Plugin (203b) allows access to all of the components that satisfy applicant's claimed invention that the Local Plugin comprises those components, which satisfy applicant's claimed invention.³

In reply to that basis for the rejection applicants note the local plug-in 203b in Hara differs from the claimed local plug-in.

The claimed local plug-in allows different controls independent of control from a remote monitoring center. The local plug-in 203b in Hara does not operate in that way but instead merely provides connection so that the remote monitoring center 210 can access the device monitoring server 203a. Thereby, the local plug-in 203b in Hara does not perform the claimed functions itself of accessing the database, determining if network devices belong to a selected group of devices, and reporting polling results to the remote monitoring center.

With respect to that final feature of reporting polling results to the remote monitoring center, in Hara the device center server 210 itself searches for information from the device monitoring server 203a, via the event adapter 210a, and thereby even more clearly the plug-in 203b does not perform that function.

² Hara at paragraph [0045].

³ Office Action of November 16, 2006, page 4, first full paragraph.

In view of these foregoing comments applicants respectfully submit each of independent claims 1, 10, and 19, and the claims dependent therefrom, clearly distinguish over Hara.


Moreover, no teachings in the further cited references to Baekelmans, Boroughs, Planas, or Stevens are believed to cure the above-noted deficiencies in Hara.

In view of the present response, the claims as written are believed to distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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